



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 25 1995

REPLY TO THE ATTENTION OF:

CM-29A

Edward C. Fitzhenry, Jr.
Assistant City Attorney
City of Granite City
P.O. Box 735
1939 Delmar Ave.
Granite City, IL 60204

Re: U.S. v. NL Industries, Inc. et al, Granite City
Request for an Extension of Public Comment Period

Dear Mr. Fitzhenry:

I am in receipt of your January 13, 1995, request for an extension of the public comment period in order that Granite City might submit an environmental sampling study. For the reasons listed below, U.S. EPA is not inclined to grant your request.

U.S. EPA has already granted two extensions to the public comment period. The second of those extensions was granted in order to allow Granite City to complete and submit Dr. Bornschein's environmental sampling study. At the time the last extension was granted, it was expressly stated that it would be the final extension. To date, Granite City has not disclosed the scope or the intent of the study and Granite City is unable to commit to a time when the study will be completed. Further, the inference that Dr. Bornstein was unable to complete the study due to the schedule of U.S. EPA's remedial activities is misplaced. The majority of the seventeen targeted yards were excavated by late November, thereby allowing ample opportunity to complete the study.

If you have any questions regarding this position, please feel free to call.

Sincerely,


Sean Mulroney
Assistant Regional Counsel

cc: ✓ Brad Bradley, EPA
Sue Pastor, EPA
Lee Gelman, DOJ
John H. Grady, DOJ